

**MINUTES OF THE VIRTUAL MEETING OF THE  
HAILEY CITY COUNCIL  
HELD APRIL 17, 2020**

The Meeting of the Hailey City Council was called to order at 2:00 P.M. by Mayor Martha Burke. Present were Council members Kaz Thea, Juan Martinez, Heidi Husbands, and Sam Linnet. Staff present included City Attorney Christopher P. Simms, City Administrator Heather Dawson, and City Clerk Mary Cone.

2 p m call to order.

Mayor Burke asks for Roll call: Linnet, Husbands, Thea, Martinez

Burke notes that there is an amended agenda, adding an item late.

Ph 178, adding resolution number 2020-050, Construction Guidelines.

2:01 pm. **Motion to amend agenda made by Linnet adding Resolution 2020-050 Construction Guidelines, seconded by Husbands. Motion passed with roll call vote, Martinez, yes. Linnet, yes. Husbands, yes. Thea, yes.**

**PUBLIC HEARINGS:**

*PH 178 Discussion of Public Health Emergency Order No. 2020-03 which expires April 19, 2020 with consideration of options on Public Health Emergency Order No. 2020-05 and consideration of adoption of Resolution 2020-050, Construction guidelines ACTION ITEM*

2:03 pm, Horowitz starts the discussion, there are 3 options, 1<sup>st</sup> one, extend no construction, 2<sup>nd</sup> allow construction with guidelines, 3<sup>rd</sup> extend order with adopting guidelines as standards. 4<sup>th</sup> options, let current order expire and use state guidelines.

Revised packet, prosecutor added some things section 2, repeated in governor's order. One reason county did not extend their order. #2, Blaine County travel not in other orders, Ketchum and Bellevue have it.

2:07pm , Simms adds, attempting to do, adding one menu item for council's choice. Can adopt resolution with guidelines allows 4<sup>th</sup> option to let current order to expire.

2:08 pm Linnet, asks what are enforcement mechanisms. Simms, replies, if we extended order with guidelines, state order would be in effect prosecuted by misdemeanor. If extend with standards, in addition punishable with \$300/fine. Finally, option 4, guidelines allow current order expire, punishable like option 2 misdemeanor or stop work order.

Linnet wants to understand actions available under each option.

Simms, only option 3 would be lessor fine of \$300.

Linnet main concern different discussion today. Want to be clear what legal aspect is and practical effect.

Thea, if we allow our order to expire, construction and all other trades become essential. If we adopt guidelines or standards, they are not essential, but allowed to continue with restrictions.

Simms, in option 2 and 3, construction would be redefined as essential business. Thea, but the order doesn't state that. 2:16, Dawson, section 5 option 2, bring up on screen, construction essential business.

Public comments:

Tom Abbott with DBS (Division of Building Safety) attending call wanted to let council know he is present.

Carol Brown, Hailey resident, thank you all, profound thank you for restrictions helping to flatten curve, thinks Governor Little got it right yesterday by using science to guide. Thinks option 4 is way to go. If city produces something, try not to duplicate what the State has done. Likes the guidelines and can enforce with State's order in place. Applaud getting help from The Chamber. Absolutely support any county wide testing, encourage widespread testing and add to budget. Continue current and strong messaging that you are doing using County's messaging as much as possible, confusing to have messages from multiple entities. Help economic ways in partnerships as best you can. Take this virus very seriously. Looking at the science, looking at this valley, to do the right thing. We used to laugh, topic dogs off the leash, this is a big topic, applaud your efforts in this decision.

2:23 Jeff Jones, section 5, landscape becomes part of this section, just says construction.

David Sandholm, not sure what Hailey is proposing to adopt as guidelines, is it the same as Ketchum? Are they available to public? Horowitz, substantially the same. Sandholm, building house outside Hailey but lives in Hailey right now, and is in the medical profession. The order to regulate construction and landscaping community? Is this sector a problem? Are these 2 professions the problem, shouldn't they be across the board for all businesses. The order is vague on PB standards, goggles and face shield, gloves and no mask. Toilet sanitation not practiced at home or offices? Any 2 violations can get stop work order.

Linnet, under the impression, brought the guidelines today. Horowitz, they are in today's packet, are we discussing substance or the 4 options.

Burke clarifies, pull back discussion to the 4 options.

David Sundholm, understands, these are in the 4 options. Mandatory reporting of illness. Burke asks Sundholm to ready Hailey's option, we understand your concerns. Sundholm recommends option 4.

2:32 – Dawson emailed the guidelines to David Sundholm.

Kameron Spencer with Sweetwater, difficult to implement: goggles and gloves, Eye protection is possible. Problem with criminal punishment, exact letter of minutia, no one will be perfectly compliant, managers will be doing the best they can to manage their crews. Have lost our place in order, with supply chains as it is. It will be difficult to ramp up things again, would like them to be voluntary standards.

Sarah Busdon, likes #3 outlined on site. Hearing that workers cannot comply all the time is a concern. In order to open up construction, they need guidelines, must be clear, and must follow rules or consequences.

2/40 Dan Slovic, has concerns, first point, hotels only available to Blaine County residents, would have to travel back and forth. If hotels open up, next big thing lunch on site, hard to stockpile food in a hotel. Social Distancing is a concern. Some instances, must be closer than 6 feet. Carpooling is a concern, not feasible to travel 2 per car.

Burke, hard to separate guidelines from options.

Council deliberation.

2:43 pm Linnet comments, state has defined essential service, significant risk to allow construction to continue, want to make sure that they are not discriminating against construction industry. Plenty of businesses are closed right now, ask for perspective when moving forward.

2:45 Martinez, public comments seem to be asking for numbers, looked at 2018 Sun Valley Economic Development, 800 jobs in the construction industry, large percentage going back to work allowing construction to go back to work. If we saw the spike in spread, rethink this reopening. It is disheartening that comments are negative towards these guidelines now as we adopted after listening to many public comments saying these were doable. Feels we can count on construction industry.

2:55 – Heidi Husbands, is in favor of option 4, if we see spikes in infection, will have to do a new order. May have to do this if spreading rises. Trust the construction community. Want to give them a chance. Turnaround for tests is about 5 days now, not 14. This is their burden now and step up to comply so we don't have to shut down again. This is a test to see if we can open up other businesses.

2:58, Linnet option 4 is making most sense, with voluntary guidelines and if egregious stop work order. We are in a better situation than we were 2 weeks ago. We were worse than NY, the epicenter of our country, that is why we have been so strict. Local agencies, held responsibility to guide our municipalities, we felt construction was not essential for health and welfare of our community, that is why we put restrictions in place. Medical professionals suggested we see 2 weeks of decline. Data proves, we have sacrificed, all be proud of efforts, and if 2<sup>nd</sup> wave, then we can do it again. Must remain vigilant. We are slowly loosening, 2<sup>nd</sup> wave is possible, and if we ignore social distancing, we all have individual responsibility and community responsibility, wash hands and wear masks. Including limiting travel outside of Blaine County. Linnet in favor

of option 4, agree with Carol Brown, Governor Little got this right. If 2<sup>nd</sup> spike, will have to restrict again, we have duty to act accordingly. Follow guidelines, not gamble with public's health.

Burke thanks Linnet

3:04 Martinez , enforceability, with the new sheriff in town.

3:05 Burke, received comments signed by 70 construction workers in the community, she reads the comments into the record, "will support council in any way they can, circulated drafts, and agree the current draft is possible, they will follow the guidelines, and understand changes made need to be made in order to navigate away from this crisis"

Having received this and hear comments now, we are prepared to let current order sunset, follow state guidelines, option 4, adopt Resolution 2020-050, with guidelines, open up construction but remain vigilant. If consensus, please make motion to adopt resolution.

3:09 pm Horowitz, also make sure Exhibit A attached to Resolution, follow what Blaine County adopted, verbal acknowledgment, and adding phrase, "in conformance with CDC guidelines"

3:10 Simms suggests adopting Resolution 2020-050.

**Thea moves to adopt Resolution 2020-050, adopting guidelines for construction and trade guidelines, Linnet seconds, Tim Carter thanks him and community for his thoughtful comments. Linnet, yes. Martinez, yes. Thea, yes. Husbands, yes.**

Simms, no motion needed on the option 4 selection, order will just sunset.

### **STAFF REPORTS:**

3:13 Horowitz, will make copies of guidelines to hand out the 90 job sites.

3/13 Dawson, your decision allows to us to refer all citizens to their communications.

Martinez, thanks Linnet for going through timeline, forget about timeline that have led up to these drafts. Continue to share our story.

Thea asks, had a few people have asked about travel recently. As reading, no intrastate travel, what does that mean for prohibition to leave county. Are we allowed to travel or not.

Simms, state order is clear, unless you have essential business. Horowitz, reading, essential sections in state order. Linnet, you can go to twin to get groceries, but it is not a good idea, subjecting you to too much risk.

Horowitz, Blaine County is letting their emergency order expire too.

Burke, we must social distance and wash our hands. Other areas may not have reached their peak, be careful. Social distance, and be kind.

3:22 pm **Motion to adjourn made by Thea, Martinez seconds. Motion passed unanimously.**